



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
FOLSOM FIELD OFFICE
63 NATOMA STREET
FOLSOM, CA 95630

Decision Memorandum and Categorical Exclusion Documentation CE # CA-180-08-26

A. Project Title: Transfer of Grazing Preference for the Engler Allotment

B. Description and Rationale: This transfer of preference involves lease number 4141 associated with the Engler Allotment. The transfer of the preference would be from Gerald Engler to Matt Fischer. The new lease would be operated under the same terms and conditions as the existing lease. The current grazing lease (and new lease) authorizes 99 animal unit months (AUMs) from October 1 to April 15 for the Engler Allotment. The base property for the lease would not change.

Gerald Engler no longer leases the base property associated with the Engler allotment. Mr. Fischer has the lease for the base property for a period of 3 years. Mr. Fischer has been in the livestock industry for a number of years.

C. Location: The Engler allotment consists of approximately 1000 acres (100% BLM public lands) and is located on the eastern shore of Don Pedro Reservoir approximately 3 miles west of Moccasin, California. See attached map.

D. Stipulations/Mitigations: None

E. Plan Conformance: Sierra Resource Management Plan approved January 2008.

F. Compliance with the National Environmental Policy Act: The project is a categorically excluded action under the following Department of the Interior categorical exclusion (516 DM 11.9 D (1)): *Rangeland Management. Approval of transfers of grazing preference.*

The proposed action has been reviewed to determine if extraordinary circumstances exist that would require further environmental analysis and documentation (516 DM 2, Appendix 2). None have been identified (see attached).

Peggy Cranston
Preparer

2/12/08
Date

William S. Haigh
William S. Haigh
Field Manager
Folsom Field Office

3-17-08
Date

**NEPA Compliance
Categorical Exclusion Review
CE #CA-180-08-15**

Transfer of Grazing Preference for the Hunter Valley Allotment

The Department of the Interior Manual 516 2.3A (3) requires review of the following “extraordinary circumstances” (516 DM 2 Appendix 2) to determine if an otherwise categorically excluded action would require additional environmental analysis/documentation.

- 1) *Have significant impacts on public health or safety.*
☐ Yes ☒ No
- 2) *Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.*
☐ Yes ☒ No
- 3) *Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].*
☐ Yes ☒ No
- 4) *Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.*
☐ Yes ☒ No
- 5) *Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.*
☐ Yes ☒ No
- 6) *Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.*
☐ Yes ☒ No
- 7) *Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.*
☐ Yes ☒ No
- 8) *Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat.*
☐ Yes ☒ No
- 9) *Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.*
☐ Yes ☒ No
- 10) *Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).*
☐ Yes ☒ No

11) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).

() Yes (X) No

12) Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

() Yes (X) No

Reviewers:

Albee E. Farnke

Botany

3/17/08

See memo attached

Cultural Resources

Peggy Cranston

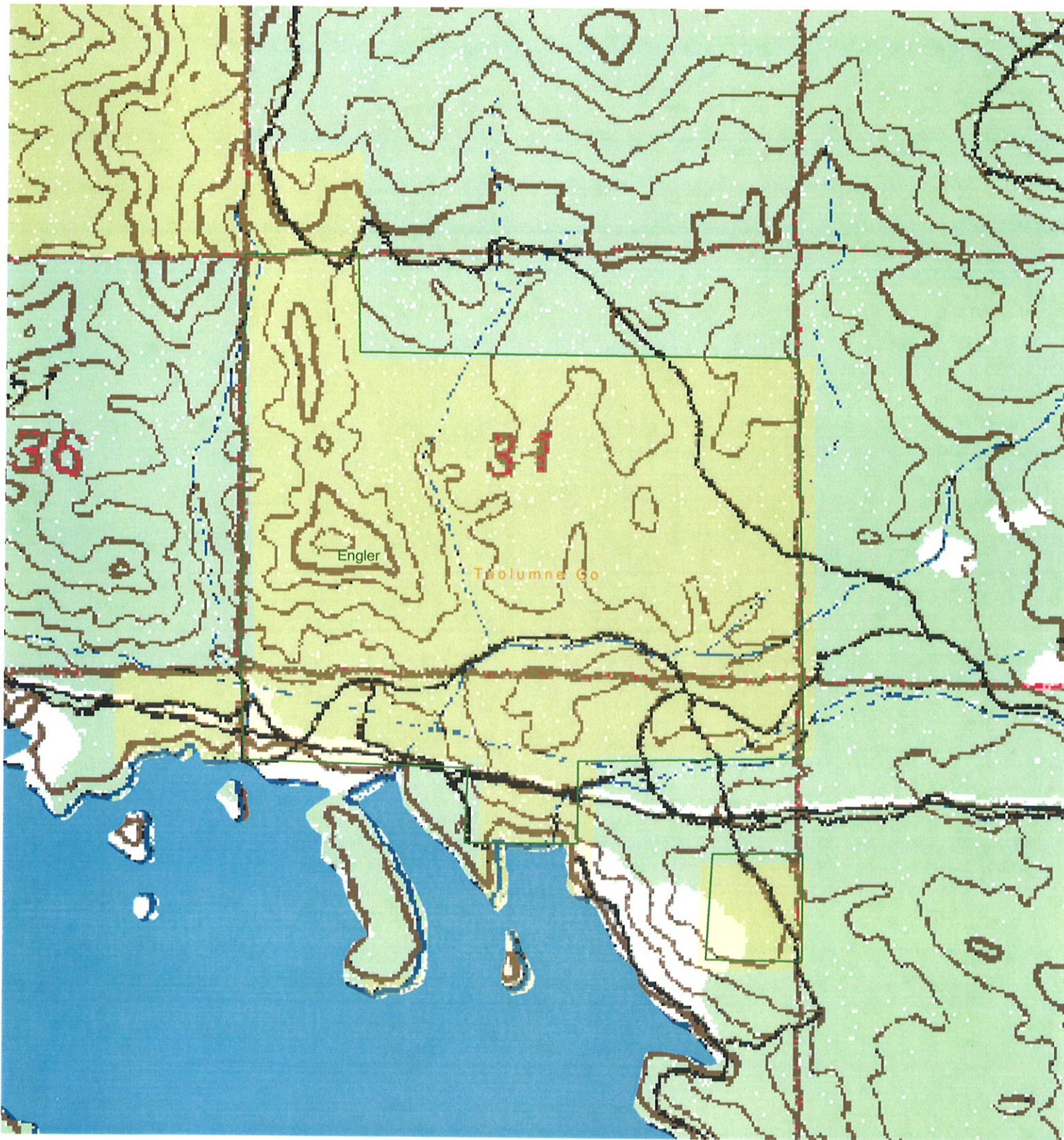
Wildlife and Fisheries

2/12/08

Jerry Baum

NEPA Reviewer

3/17/08



United States Department of the Interior
Bureau of Land Management
Folsom Field Office
63 Natoma Street
Folsom, California 95630

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CA-180.27

March 10, 2008

MEMORANDUM

To: Field Manager

From: James Barnes, Archaeologist

Re: Section 106 compliance for the transfer of grazing preference
for the Engler and Hunter Valley allotments

The Folsom Field Office (BLM) is planning to transfer two grazing leases: the Engler allotment would be transferred from Gerald Engler to Matt Fischer and the Hunter Valley allotment would be transferred from Jerry Griffith to William MacDonald. For now, both leases would be operated under the same terms and conditions as the existing leases. Because the lease transfers are considered federal undertakings, they are subject to review under Section 106 of the National Historic Preservation Act.

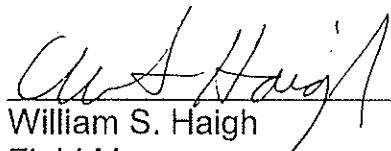
In checking BLM records, I have noticed that neither lease area has been adequately studied to determine whether the current grazing terms and conditions are affecting significant cultural properties. In other words, we have insufficient data to complete Section 106-compliance studies. Additional records searches, field inventories, Native American consultations, etc. would be needed to meet our Section 106 obligations. BLM range specialist/wildlife biologist Peggy Cranston has assured me that the terms and conditions of both leases will come up for renegotiation and environmental review (including Section 106 analysis) later in fiscal year 2008. She believes that this will be the appropriate time to conduct a thorough environmental review, not now.

Therefore, I am deferring Section 106 studies until this time. This seems procedurally incorrect; however, our statewide Protocol Agreement does contain supplemental procedures for grazing lease renewals that allow

field offices including the Folsom Field Office to schedule inventory, evaluation, treatment, and other steps in the Section 106 process after the lease has been authorized. I am not necessarily recommending that we follow these supplemental procedures, but there does appear to be flexibility to defer our Section 106 obligations as long as there is a clear timetable for completing them.

At this time I cannot in good faith sign off on the categorical exclusion document for each of the proposed lease transfers. In lieu of signing off, this memo indicates my intention to conduct Section 106 studies and provide management recommendations to you regarding the Engler and Hunter Valley allotments later in fiscal year 2008.

I concur with this recommendation



William S. Haigh
Field Manager